UNITED STATES PATENT AND TRADEMARK OFFICE

Oliver Ralf Petri
Avda. Europa 42-Local
A-Pozuelo De Alarcon
Madrid 28224 ES SPAIN

COPY MAILED

APR 1 2 2006

OFFICE OF PETITIONS

In re Application of   :
Oliver Ralf Petri   :
Application No. 10/501,085   :
Filed: July 9, 2004   :   DECISION ON
Title of Invention: :   PETITION
MICROWAVE MIXER/DRYER REACTOR FOR   :
INDUSTRIAL USE   :

This is a decision in response to the petition under 37 CFR
1.137(b), filed February 27, 2006, to revive the above-identified
application. The petition is properly treated as a petition to
withdraw the holding of abandonment of the application under 37 CFR
1.181 (no fee)[1].

This Petition is hereby **dismissed**.

Any further petition to revive the above-identified application
must be submitted within TWO (2) MONTHS from the mail date of
this decision. Extensions of time under 37 CFR 1.136(a) are
permitted. The reconsideration request should include a cover
letter entitled "Renewed Petition under 37 CFR 1.181." This is
not final agency action within the meaning of 5 U.S.C. § 704.

The above-identified application became abandoned for failure to
timely and properly reply to the Notice of Allowance and Issue
Fee Due ("Notice"), mailed July 27, 2005. The Notice set a non-
extendable three (3) month period for reply. No reply having
been received, the application became abandoned on October 28,
2005. A Notice of Abandonment was mailed December 16, 2005.

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[1] A Decision on the petition to revive the application under 37 CFR 1.137(b)
will be held in abeyance pending final resolution of the petition to withdraw
the holding of abandonment.

Applicant files the instant petition wherein Applicant avers that non-receipt of the Notice.

Applicant is advised that an allegation that an Office action was not received may be considered as a petition for the withdrawal of the holding of abandonment. If the allegation is adequately supported, the petition may be granted and a new Office action mailed. The showing required to establish non-receipt of an Office communication must include:

   1. A statement from the Applicant stating that the Office communication was not received by the Applicant and attesting to the fact that a search of the file jacket and docket records indicate that the Office communication was not received.

   2. A copy of the file jacket or docket record where the non-received Office communication would have been entered had it been received and docketed must be attached to and referenced in Applicant's statement.

Accordingly, Applicant's assertion, that the Office action was not received, is insufficient to justify withdrawing the holding of abandonment. Applicant must also attest to the fact that a search of the file jacket and docket records indicate that the Notice was not received, and provide a copy of the docket record (or file jacket) where the non-received Notice would have been entered had it been received and docketed[2].

Applicant should file a Request for Reconsideration of Petition and include the necessary statements and copies of documents.

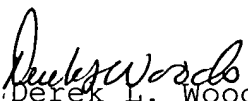Further correspondence with respect to this matter should be addressed as follows:

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[2] It is noted that Applicant has filed with the petition copies of papers received from this Office; however, there is no assertion that the papers filed with the instant petition constitute Applicant's file jacket and docket records. As such, a copy of the file jacket and docket records where the non-received Notice would have been docketed and entered had it been received, is required.

By mail: Mail Stop PETITIONS
                Commissioner for Patents
                Post Office Box 1450
                Alexandria, VA 22313-1450

By hand: Customer Service Window
                Mail Stop Petitions
                Randolph Building
                401 Dulany Street
                Alexandria, VA 22314

By fax: (571) 273-8300
                ATTN: Office of Petitions

Any questions concerning this matter may be directed to the
undersigned at (571) 272-3232.

Derek L. Woods
Attorney
Office of Petitions